REMARKS

Claims 1-15 remain pending in this application, and have been amended to define still more clearly what Applicants regard as their invention. Claims 1, 5-8 and 12-15 are independent claims.

Claims 1-15 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,276,779 (Statt).

The aspects of the present invention recited respectively in Claims 1, 5-8 and 12-15 are related to a user interface to set a parameter of a viewing condition or chromatic adaptability used in color process based on a color appearance model. One important feature of each of those aspects of the present invention is that the parameter is set by a user inputting a positional relation, such as viewing spacing or viewing distance, between a viewing subject at a data source side and a viewing subject at a data destination side through the user interface. For example, in a preferred embodiment, the user slides an icon 2012 on a slide bar in accordance with the viewing spacing between a monitor and a print out, as shown in Fig. 26.[1/] By virtue of the features variously recited in the independent claims, the user easily sets the parameter of the viewing condition.

Independent Claim 1, for example, is directed to an image processing method for performing a color process based on a color appearance model, which comprises inputting location information which relates to a positional relation between a viewing subject in a data source side and a viewing subject in a data destination side, and

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1/ Of course, the scope of the claims is not limited by the details of any of the preferred embodiments, including those discussed here or below.

setting a parameter of viewing condition based on the inputted location information; the color process is performed based on the color appearance model by using the set parameter.

Independent Claim 6 is directed to an image processing method for performing color process on input image data based on a color appearance model, in which a manual instruction of a user, which relates to conditions for respectively adjusting balance and absolute intensity of a chromatic adaptability, is inputted, and a parameter of the chromatic adaptability from the inputted balance and absolute intensity is set. The color process is performed based on the color appearance model by using the set parameter.

According to Claim 6, therefore, the parameter is set by a user inputting balance and absolute intensity of a chromatic adaptability through the user interface (for example, the user slides knobs on slide bars 2113 and 2114 by considering suited balance and absolute intensity, as shown in Fig. 27). Note that the user interface shown in Fig. 27 is suitable for a color expert. According to this aspect of the present invention, the color expert accurately sets the parameter of the viewing condition.

Independent Claim 7 is directed to an image processing method, in there is used a user interface for inputting various conditions which relate to a color process based on a color appearance model, for performing the color process on input image data based on the color appearance model. In the method of Claim 7, construction of components of the user interface is changed in accordance with user selection, and according to the claim, such constructions suited to a color expert and suited to general users are available.

According to Claim 7, thus, construction of components of the user interface for setting the parameter is changed in accordance with user selection. According to this

aspect of the present invention, a user can select the construction in accordance with he/she is whether a color expert or not, or setting the parameter in simple or accurate.

Statt relates to a procedure of color process in accordance with input and output viewing conditions. This procedure is described in the Background of The Invention section of the present application. However, Applicant submits that nothing has been found, or pointed out, in *Statt* that would in any way teach or suggest a user interface to set a parameter of a viewing condition or chromatic adaptability, as in any of these independent claims, and accordingly, those claims are each believed to be clearly allowable over that patent.

The Office Action cites an input device 10 in *Statt* as allegedly corresponding to a user interface, e.g., as described in page 3, line 8. However, Applicant notes that the input device 10 of *Statt* outputs RGB data shown in Fig. 2, and thus is an apparatus which generates image data to be inputted, and not a user interface. The Office Action also cites menu selection by an operator via an input device 14 in *Statt*, but Applicant submits that even if *Statt* teaches menu selection, nothing int hat patent is believed to teach the recited details of a usable user interface as in these independent claims.

For all these reasons, Claims 1, 6 and 7 are believed to be clearly allowable over *Statt*.

Each of the other independent claims recites features similar to those of one or more of the claims discussed above, and is believed allowable over *Statt* for the same reasons.

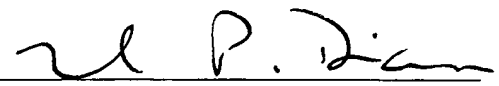
A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's attorneys may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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VERSION OF CLAIMS MARKED TO SHOW CHANGES

1. (Amended) An image processing method for performing a color process based on a color appearance model, said method comprising the steps of:

inputting location information which relates to a positional relation between a viewing subject in a data source side and a viewing subject in a data destination side; [and]

setting a parameter of viewing condition [controlling the color process] based on the inputted location information; and

performing the color process based on the color appearance model by using the set parameter.

2. (Amended) The method according to claim 1, wherein the parameter includes [further comprising the step of setting] a chromatic adaptability condition [based on the inputted location information].

3. (Amended) The method according to claim 1, further comprising the step of inputting plural sets of viewing information which relate to a viewing condition of the data source side and a viewing condition of the data destination side.

4. (Amended) The method according to claim 1, wherein the color process [is] comprises color matching processing based on profiles of the data source side and the data destination side.

5. (Amended) An image processing method having a user interface for manually inputting location information which relates to a positional relation between a viewing subject in a data source side and a viewing subject in a data destination side, and a user interface for manually inputting viewing information which relates to a viewing condition, for performing color process on input image data based on a color appearance model, said method comprising the steps [step] of:

setting a parameter of viewing condition [controlling the color process] based on the inputted location information and viewing information; and

performing the color process based on the color appearance model by using the set parameter.

6. (Amended) An image processing method for performing color process on input image data based on a color appearance model, said method comprising the steps of:

[inputting viewing information which relates to a viewing condition;]

inputting a manual instruction of a user, which relates to conditions for respectively adjusting balance and absolute intensity of a chromatic adaptability [in a data source side and a data destination side];

setting a parameter of the chromatic adaptability from the inputted balance and absolute intensity; and

performing the color process [on the input image data] based on the color appearance model by using the set parameter [inputted viewing information and manual instruction].

7. (Amended) An image processing method, which [has] includes using a user interface for inputting various conditions which relate to a color process based on a color appearance model, for performing the color process on input image data based on the color appearance model, comprising the step of changing [a] construction of components of the user interface in accordance with [a level of a] user selection, wherein such constructions suited to a color expert and suited to general users are available.

8. (Amended) An image processing apparatus for performing a color process based on a color appearance model, said apparatus comprising:

an inputting section, arranged to input [means for inputting] location information which relates to a positional relation between a viewing subject in a data source side and a viewing subject in a data destination side; [and]

a setter, arranged to set a parameter of viewing condition [control means for controlling the color process] based on the inputted location information; and

a processor, arranged to perform the color process based on the color appearance model by using the set parameter.

9. (Amended) The apparatus according to claim 8, wherein the parameter includes [said control means sets] a chromatic adaptability condition [based on the inputted location information].

10. (Amended) The apparatus according to claim 8, wherein said input means further inputs plural sets of viewing information which relate to a viewing condition of the data source side and a viewing condition of the data destination side.

11. (Amended) The apparatus according to claim 8, wherein the color process [is] comprises color matching processing based on profiles of the data source side and the data destination side.

12. (Amended) A computer program product comprising a computer readable medium storing [having] computer program codes, for an image processing method performing a color process based on a color appearance model, said product comprising process procedure codes for:

[input process procedure code for] inputting location information which relates to a positional relation between a viewing subject in a data source side and a viewing subject in a data destination side; [and]

setting a parameter of viewing condition [control process procedure code for controlling the color process] based on the inputted location information; and

performing the color process based on the color appearance model by using the set parameter.

13. (Amended) A computer program product comprising a computer readable medium storing [having] computer program codes, for an image processing method performing a color process on input image data based on a color appearance model, said product comprising process procedure codes for:

[first interface process procedure code for] realizing a user interface to manually input location information which relates to a positional relation between a viewing subject in a data source side and a viewing subject in a data destination side;

[second interface process procedure code for] realizing a user interface to manually input viewing information which relates to a viewing condition; [and]

[control process procedure code for controlling the color process] setting a parameter of viewing condition based on the inputted location information and viewing information; and

performing the color process based on the color appearance model by using the set parameter.

14. (Amended) A computer program product comprising a computer readable medium storing [having] computer program codes, for an image processing method performing a color process on input image data based on a color appearance model, said product comprising process procedure codes for:

[first input process procedure code for inputting viewing information which relates to a viewing condition;]

[second input process procedure code for] inputting manual instruction of a user, which relates to conditions for respectively adjusting balance condition and absolute intensity of a chromatic adaptability [in a data source side and a data destination side];

setting a parameter of the chromatic adaptability from the balance condition and absolute intensity; and

[color process procedure code for] performing the color process [on the input image data] based on the color appearance model by using the set parameter [inputted viewing information and manual instruction].

15. (Amended) A computer program product comprising a computer readable medium storing [having] computer program codes, for an image processing

method performing a color process on input image data based on a color appearance model, said product comprising process procedure codes for:

[first interface process procedure code for] realizing a user interface to input various conditions which relate to color process based on the color appearance model; and

[changing process procedure code for] changing [a] construction of components of the user interface in accordance with [a level of a] user selection, wherein the construction suited to a color expert and suited to general users are available.

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